

PATRICK MEEHAN
7TH DISTRICT, PENNSYLVANIA



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Congress of the United States
House of Representatives
Washington, DC 20515-3807
November 8, 2011

TRANSPORTATION AND
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SUBCOMMITTEE ON ECONOMIC DEVELOPMENT,
PUBLIC BUILDINGS AND
EMERGENCY MANAGEMENT

The Honorable Arne Duncan
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Duncan,

I share your sentiment that the allegations of misconduct at Pennsylvania State University are heartbreaking. Given the disturbing nature of these allegations, I am writing to respectfully urge you direct the Department of Education to conduct a full investigation into whether federal law was broken in the failure to properly report allegations of sexual abuse at Penn State.

According to grand jury documents made public over the weekend, a graduate student reported to Penn State football coach Joe Paterno that he witnessed assistant football coach Jerry Sandusky sexually assaulting a minor in the locker room shower in 2002. This report made its way to senior Penn State officials, including Athletic Director Tim Curley, Senior Vice President Gary Schultz, and University President Graham Spanier, though no law enforcement agencies or campus security authorities appear to have been notified. Moreover, in part because the only apparent action taken in response to this allegation was to bar Mr. Sandusky from bringing minor children into the football locker room, serious questions have been raised into the university's internal response to this matter.

As you know, the Clery Act (20 USC § 1092(f)) requires colleges and universities to prepare, publish and distribute an annual security report in which there is a disclosure of all criminal offenses reported to campus security authorities or local police agencies. University officials are required to report suspected criminal offenses to campus security authorities. Additionally, each institution of higher education is required to develop and distribute a statement of policy regarding the procedures followed once a sex offense has occurred. Clery Act compliance is the responsibility of the U.S. Department of Education.

The failure to report the 2002 allegations would appear to break Penn State's own reporting methods for sexual abuse on campus. According to the publication "Policies, Safety, & U" at Pennsylvania State University, 2011-2012, the University Police are responsible for compiling the annual report required by 20 USC § 1092(f). The report further states that "this document is prepared by information provided by University Police, local law enforcement agencies surrounding main campus and alternate sites such as, Student Affairs, Residence Life, and the Athletics Department. Each entity provides updated statistical information."

It is clear that while not all employees have to report crimes to the University Police, under the Clery Act, those who would be considered a "campus security authority" would be required to do so. The grand jury report alleges Sandusky engaged in inappropriate sexual conduct with a total of 8 boys over a

span of years that lasted until 2009. Had the 2002 allegations been properly reported, investigated and disclosed, the later instances of abuse could have been prevented and future victims protected.

Thank you in advance for your timely consideration of this request and your support of a full investigation into possible Clery Act violations at Penn State.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Meehan". The signature is fluid and cursive, with the first name "Patrick" being more prominent and the last name "Meehan" following in a similar style.

Patrick Meehan
Member of Congress